



METROPOLITAN
TRANSPORTATION
COMMISSION

Joseph P. Bort MetroCenter
101 Eighth Street
Oakland, CA 94607-4700
TEL 510.817.5700
TDD/TTY 510.817.5769
FAX 510.817.5848
E-MAIL info@mtc.ca.gov
WEB www.mtc.ca.gov

Memorandum

TO: Commission

DATE: April 18, 2007

FR: Legislation Committee

W. I.: 1131

RE: Committee Recommendations

The Legislation Committee met on April 13 and referred 8 items to the Commission.

State Legislation

1. **SB 748 (Corbett)** expresses the intent of the Legislature to structure the new \$1 billion State Local Partnership Program created by Proposition 1B in such a way as to reward cities, counties and regions in which voters have approved fees or taxes dedicated to transportation improvements. The bill also expresses the intent that a wide variety of capital projects typically funded in local or regional voter-approved expenditure plans be eligible for the matching funds.

Committee Recommendation: Approve support position

2. **AB 57 (Soto)** deletes the January 1, 2008 statutory repeal date for California's Safe Routes to School construction program and make other related technical changes.

Committee Recommendation: Approve support position

3. **AB 218 (Saldaña)** and **AB 616 (Jones)** seek to improve air quality by improving administration of the Smog Check program. AB 218 (Saldaña) closes a loophole that allows motorists to delay their required smog check without penalty. AB 218 imposes no new fees; it simply says that the penalties that the DMV imposes for late payment of registration fees would continue to accrue until the Smog Check requirement has also been met. AB 616 (Jones) requires vehicles that are 15-years old or older to undergo annual smog check rather than the current biennial requirement.

Committee Recommendation: Approve support position

4. **AB 801 (Walters)** would prohibit devices that obstruct or impair the reading or recognition of a license plate by an electronic device operated in connection with a toll road. Obstructed license plates and other photo-identification problems hinder toll collection by the Bay Area Toll Authority (BATA) as well as the Golden Gate Bridge Highway and Transportation District, Orange County's Transportation Corridor Agency and the San Diego Association of Governments.

Committee Recommendation: Approve support position

5. **SB 445 (Torlakson)** would create a Road User Task Force that would be required to hold at least three public hearings around the state and report to the governor and Legislature by January 1, 2009 on alternatives to the existing system of taxing road users through per-gallon fuel taxes. This task force would include 11 members appointed by the Legislature, governor, California Transportation Commission, the League of California Cities and the California State Association of Counties.

Committee Recommendation: Approve a position of “support and seek amendments” for the task force to (1) examine raising or indexing the gasoline tax as well as alternate financing mechanisms, and (2) specifically include representation from California’s regional transportation planning agencies such as MTC

6. **AB 945 (Carter)** would require the California Transportation Commission to develop every five years a statewide assessment of the unfunded costs of programmed state transportation projects and projects for which there are federal earmarks, as well as an assessment of the available funding and unmet transportation needs statewide. AB 945 would require the CTC to consult with Caltrans and regional transportation planning agencies in developing this assessment, and to submit its first report to the Legislature by July 1, 2008.

Committee Recommendation: Approve support position

7. **AB 842 (Jones)** is a bill that sets out mechanisms and criteria for Proposition 1C and Proposition 84 bond funds intended to provide infrastructure incentives for infill housing development. It would require the California Transportation Commission to revise its guidelines to require regional transportation plans to provide for a 10 percent reduction in the “growth increment” of vehicle miles traveled (VMT). It would also condition the distribution of Proposition 1C and Proposition 84 bond funds — for transit-oriented development, for infill incentive grants and for regional and local planning grants — on a planned reduction in the growth increment of vehicle miles traveled by not less than 10% for the region. In the allocation of transit-oriented development grants, bonus points would be awarded to regions that plan for a 15% reduction in the VMT growth increment.

VMT reduction is a laudable but overly simplistic goal. In terms of traffic congestion, what matters is when VMT occurs — during peak or off-peak hours. From the point of view of vehicular emissions, a Toyota Prius and Chevy Suburban driven the same distance will have far different environmental consequences. This bill ignores these important distinctions and focuses only on aggregate VMT reduction as predicted by computer models. Moreover, it does not provide practical, equitable or objectively ascertainable standards for its achievement.

Committee Recommendation: Approve a position of “oppose unless amended” to revise the proposed requirement that regional transportation plans strive to reduce per-household vehicle miles traveled, or alternatively, to improve the share of commute trips taken by transit, bicycle or foot, and the share of households and jobs within walking distance of transit service.

For its part, the Legislation Committee adopted bond implementation principles as a basis for MTC's advocacy efforts as developed by the Joint Policy Committee (Attachment A).

Federal Legislation

8. **S 712 (Schumer)** and **HR 1475 (McGovern)** would make revenue neutral employer-provided pre-tax transit/vanpool benefits and parking benefits by raising the allowable pre-tax portion of the transit/vanpool benefit to \$210 per month rather than the current \$110 per month.

Committee Recommendation: Approve support position